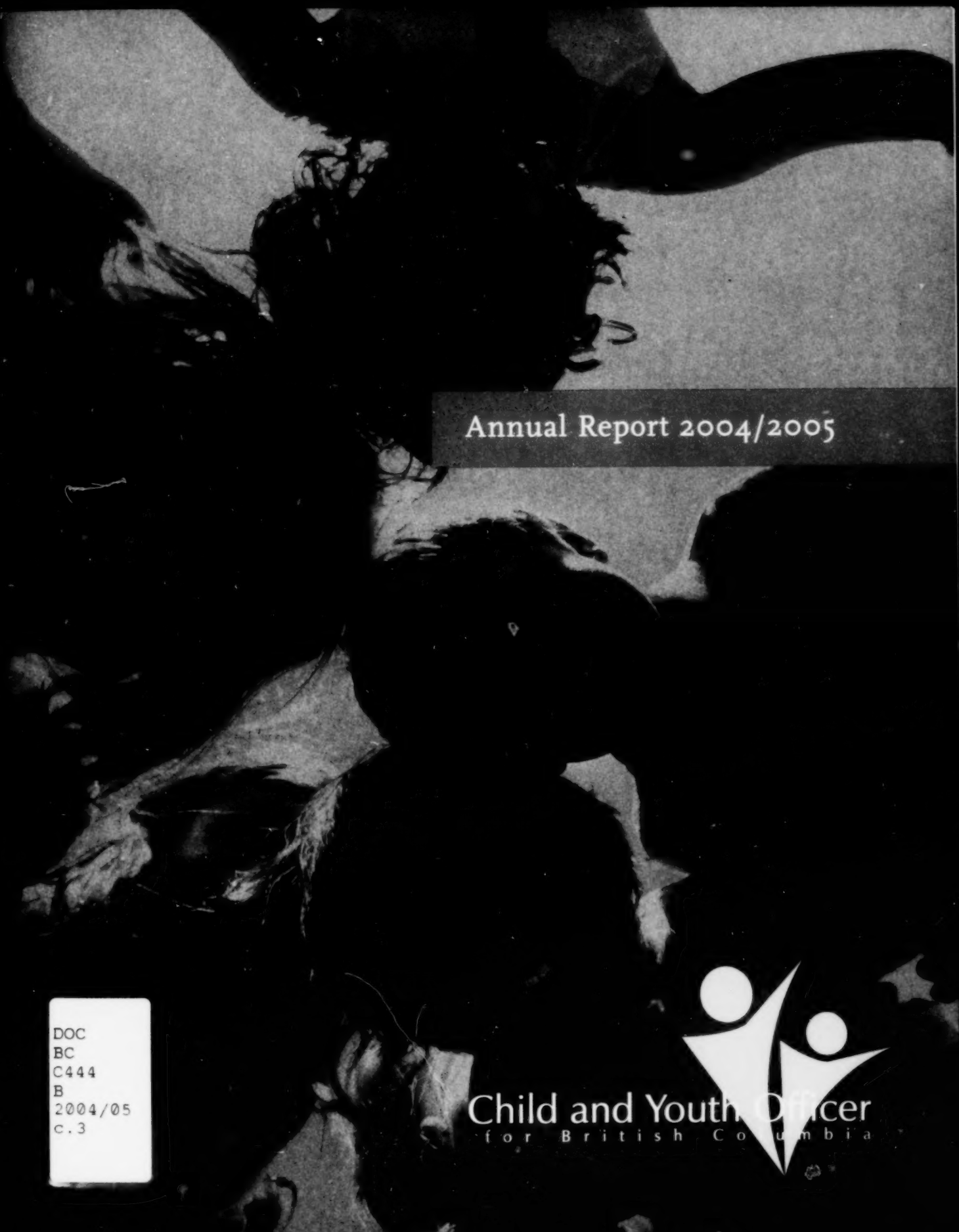

Annual Report 2004/2005

Child and Youth Officer
for British Columbia

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From the Perspective of the Child

One of the many things we can learn from Aboriginal culture is the importance of taking a "whole child" approach to services directed at improving outcomes for children and youth. This perspective recognizes that children and youth:

- are **individuals** with their own particular strengths and challenges
- thrive best when they are cared for by **families** and feel close connection to significant adults in their lives
- reside in **communities** that have the capacity and opportunity to support their development to adulthood
- are affected by their **environment**, in which cultural, social, spiritual, political and economic factors interrelate.

Placing children at the centre is the vision that underlies the Convention on the Rights of the Child, to which Canada is a signatory. It also underlies the vision that guides me as the Child and Youth Officer.

It is possible for government to take this "whole child" approach when it develops, delivers and evaluates services for children, youth and their families. Instead of defining policies in terms of discrete service areas, government can talk about and understand them in terms of how they support individual children in their development, families in caring for their children, and communities in providing opportunities and services for their children, youth and families.

Too often children, youth and their families experience services that are intended to support them as fragmented and inaccessible. Fragmentation and inaccessibility undermine the effectiveness of government-funded services.

The need for coordination has been an ongoing theme in reports analyzing problems in the child welfare system. Indeed, this was the reason behind the Gove Inquiry recommendations for the creation of a single ministry responsible for all services for children and youth and for community-based service delivery and planning.

Yet fragmentation persists.

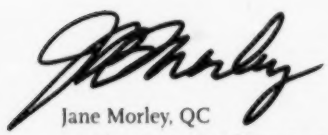
The first step in overcoming the persistent fragmentation of services is to rigorously approach public policy from the perspective of the child or youth who is receiving, or whose family is receiving, the service. This requires that government policy-makers:

- place the child at the centre
- acknowledge a joint responsibility with families and communities for supporting children and youth in their development to adulthood
- provide the necessary resources to allow families and communities to take on that responsibility, and
- recognize the impact on the child of the child's social, cultural, political and economic environment.

In my first annual report (2003/04), I identified four goals for the system, consistent with the government's own stated goals, and explained their significance. As a result of what my team and I have learned over the last year, I have modified the wording of Goal 3 by expanding the focus beyond children in government care, to include other children and youth who are at risk of poor outcomes. I also added a fifth goal concerned with knowing about the effectiveness of services and using that knowledge to improve them. The goals are set out in this report, along with what results can be expected from their achievement, and how they are connected to the notion of overcoming fragmentation of services by approaching public policy from the perspective of the child and youth.

One of the ways in which I, as Child and Youth Officer, seek to contribute to the achievement of these goals is by communicating publicly my observations and advice about them. Appended to this report is a commentary on Goals 1 and 2, focused on regional governance. There are many areas to be explored under Goal 3, and to this end, we produced a special report on early childhood development (released September 2005); in 2005/06 we will be issuing a special report about youth services from the youth perspective, and looking at services related to the transition to adulthood in a separate commentary. We are also planning a special report on Goal 4, on meaningful participation of children, youth and families in decisions affecting them, and the importance of advocacy. With respect to Goal 5, I will be providing input through my membership on the panel that has been appointed to look at child death reviews, monitoring and public reporting.

I believe that the government of British Columbia, by committing to these goals, can become a world leader in the realization of the fundamental rights of children and youth.



Jane Morley, QC
Child and Youth Officer for B.C.

The Child and Youth Officer is:

- a **champion** for children and youth
- a **critic** who, like all good critics, provides both negative and positive analysis and praise
- a **catalyst** for positive change

About the Child and Youth Officer and Her Team

The Child and Youth Officer is **independent**. She is not part of the Ministry of Children and Family Development and is not directed by any minister in how she carries out her statutory duties. She has a right to confidential information from any government body and a legislated mandate to comment publicly on issues affecting children and youth without interference from any ministry or from the premier and cabinet.

The Child and Youth Officer's mandate is set out in the *Office for Children and Youth Act*. According to the act, the Child and Youth Officer's job is to:

- **support** – by working collaboratively with children, youth, families, communities, and governments to improve access to relevant government services
- **observe** – by asking questions and gathering information and perspectives on the effectiveness, responsiveness and relevance of services
- **advise** – by building on what has been learned and by sharing ideas for improvement with communities, governments and the public.

The mandate focuses on government-funded services for children and youth, which includes but is not limited to:

- family support, child protection, adoption and guardianship
- early childhood development and care
- children and youth with disabilities
- child and youth mental health
- addictions
- youth justice
- transition to adulthood.

The Child and Youth Officer's authority can be delegated to others. She is assisted in carrying out her duties by a team of about 20 people working out of two offices in Victoria and Vancouver. This year saw two significant additions to the team, through the creation of a new and unique position, Deputy Child and Youth Officer - Aboriginal Services, and the appointment of two Youth Participation Coordinators.

In their work, the Child and Youth Officer and her team consider:

- the relevant Aboriginal cultural and historical contexts in British Columbia
- the ethno-cultural composition of communities
- the needs of children and youth with disabilities
- the particular challenges for children and youth in government care
- the opportunities for child and youth participation.

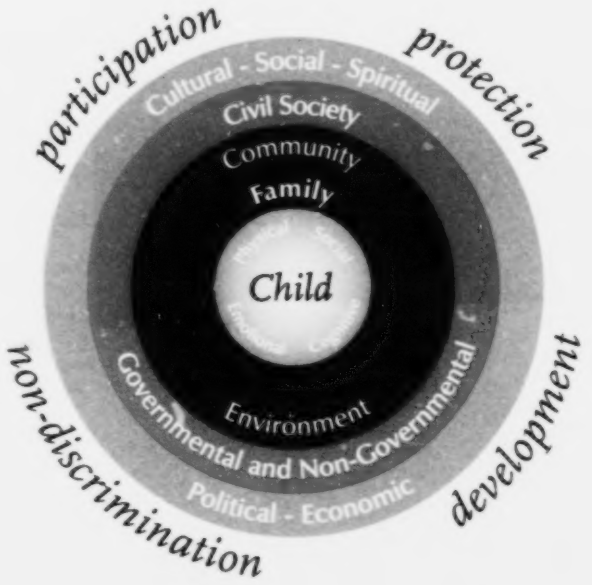
A Shared Vision

Our Vision

The Child and Youth Officer's vision statement reflects the values underlying the Convention on the Rights of the Child, an international human rights instrument, endorsed by unanimous resolution of the British Columbia Legislature and signed by Canada in 1991. The Convention affirms children's fundamental human rights, including development, protection, participation and non-discrimination, and recognizes children's need for special care and assistance in realizing these rights.

The vision of the Convention is that families and communities are the natural environment for the development and well-being of children; parents have primary responsibility for the nurturing of children; and the role of governments and communities is to support children and their families.

This is a vision that all of us in British Columbia can share. It can define a common understanding of the ideal environment in which to care for and protect our children. It can drive public policy and inspire joint action directed at realizing what we collectively envision.



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Goals for British Columbia's Child and Youth–Serving System

The Child and Youth Officer has identified five goals for British Columbia within the field of her mandate, which focuses on government-funded services for children and youth. They are statements of what the British Columbia service system should look like. If achieved, they will further the vision of the Convention on the Rights of the Child.

The Child and Youth Officer's goals are rooted in the research and what makes sense. They are also based on accumulated knowledge and experiences of what has worked. They reflect legislation in British Columbia that goes back to the mid-1990s. They are consistent with the government's own stated goals, in particular the strategic shifts identified by the Ministry of Children and Family Development in 2001, to which the government has expressed its ongoing commitment.

Each goal is connected to the message set out in the covering letter to this annual report: that public policy should be developed from the perspective of the child and youth, in the context of family and community.

GOAL 1

Communities throughout British Columbia have sufficient resources and decision-making power to effectively share with government responsibility for the service delivery system in those communities

If Goal 1 is achieved:

- **services will be designed in a practical way that makes them more accessible and responsive to the needs of children and youth and their families;**
- **diversity of perspectives and a longer-term vision at the community level will encourage innovation, evaluation and strategies aimed at prevention and healthy development promotion;**
- **resources will be allocated to build on the existing strengths of the community, to avoid duplication and to fill in the gaps in service in that community; and**
- **the community's sense of responsibility for children and youth will be enhanced.**

It is at the community level that services are received and, therefore, that fragmentation of services is so apparent. It is also at the community level that practical strategies for more integrated service delivery are obvious.

Overcoming fragmentation cannot be achieved solely, or even primarily, through structural means. It is through the development of relationships between service providers and community members that ideas of how to fill in gaps can be generated. Relationship building happens one on one, and is more likely to happen at the community level where multiple interactions take place. The relationships between people with common social goals has been called "social capital." Developing social capital increases a community's capacity to support families and protect and promote the healthy development of children and youth.

Many innovative ideas about how to provide services responsively for children, youth and families have been generated outside government, through community input. The strengths that exist in all communities can be built upon when government acknowledges the contribution that communities can make and supports meaningful community involvement in service design and delivery.

Note: Further commentary on Goal 1 is included in Addendum 1, on page 27.

GOAL 2

The communities of indigenous peoples in British Columbia have sufficient resources and capacity and the necessary autonomy to provide culturally affirmative and effective services for their children, youth and families

If Goal 2 is achieved:

- **Aboriginal communities will be empowered to take action to protect and promote the healthy development of their children;**
- **Aboriginal communities will have the resources and recognition they need to be part of the solution in improving outcomes for their children and youth;**
- **a more holistic approach to services will more likely prevail for the protection and care of Aboriginal children and youth and will influence services for non-Aboriginal children; and**
- **Aboriginal children in British Columbia will more often maintain lifelong ties to their families, their communities and their culture, thereby enhancing their resilience in meeting the challenges of life.**

Aboriginal communities generally favour less individualistic, more integrated and holistic services, based on a model of well-being that reflects the importance of cultural and spiritual belief systems and practices, mutual support in the context of community, and group belonging in the context of extended family.

A core value of Aboriginal cultures places the child at the centre of the community, and never in isolation from the child's context of family, community and culture. Aboriginal culture places a strong responsibility on the shoulders of communities to protect and support the healthy development of their children.

These cultural perspectives more easily accommodate the "whole child" approach. They are assets to build on, not only with respect to Aboriginal children, but also in providing a model for British Columbia generally as it engages in transforming the child welfare system.

Note: Further commentary on Goal 2 is included in Addendum 2, on page 33.

GOAL 3

Government-funded services and strategies achieve improved outcomes for children in government care, and for other children and youth at risk

If Goal 3 is achieved:

- **high-risk children and youth will be identified and priority will be given to strategies that the research tells us are likely to reduce risk and enhance protective factors that promote their healthy development;**
- **government strategies, whether they are universal or targeted, will be tied to measurably improved outcomes for children and youth at risk;**
- **government will better fulfill its special guardianship responsibility for children and youth in its care; and**
- **the discrepancy in outcomes for the general population and children in care or otherwise at risk will be reduced.**

The wording of this goal has been changed since last year in recognition of the problem of drawing a distinction between children and youth who are in care and those who are being provided with services in other ways, through out-of-care alternatives such as kith and kin arrangements or youth agreements.

The move to out-of-care options is a good one in that it recognizes the importance of a child's connection to family, both nuclear and extended, and in the case of youth, the need to encourage a gradual transition to adulthood. On the other hand, out-of-care options have their own risks and complexities. Both strategies to promote healthy development and plans to manage risk related to those strategies need to be considered in a broader context than the in-care/not-in-care dichotomy.

The change in wording is not intended to minimize the special responsibility that government has for the children and youth for whom it is the guardian.

Placing the child at the centre of policy-making leads to the appropriate expectation that policies will improve outcomes for children.

Understanding that government shares responsibility with families for supporting the healthy development of children and youth leads to the conclusion that government has a special responsibility when a child's family can no longer look after the child or is faced with challenges that require special support.

Communities are important in developing and implementing these strategies in an integrated way. They can provide a network of support for families faced with the challenges of high-risk children and for children who cannot live with their families, or who as they grow older need relationships with adults outside their families.

GOAL 4

Children, youth and their families in British Columbia meaningfully participate in decisions affecting them

If Goal 4 is achieved:

- **decisions about services in individual cases will more likely:**
  - **be responsive to the interests of the individual child or youth and his or her family,**
  - **build on and engage the strengths of the child or youth and of family members,**
  - **be understood and accepted by the child, youth and family, and therefore be more successfully implemented, and**
  - **strengthen relationships between workers and children, youth and families, thereby enhancing joint problem-solving in the future;**
- **the evolving capacity of children and youth to take responsibility for themselves will be respected and promoted;**
- **the right of children and youth to participate will be realized;**
- **public policy decisions about services for children and youth will reflect the perspectives of children and youth; and**
- **children and youth will develop a sense of civic responsibility.**

How better to get the perspective of children, youth and families than to ask them what they think, listen to them and take into account what they have to say when the decision is made?

An approach to services that takes into account the whole child is much more likely if one engages the child and the family in decision-making about services. Their perspectives will naturally not be fragmented into different types of services or labels of "problems," but will be integrated by the reality of their particular circumstances and needs.

GOAL 5

Governments, communities and the public know about the effectiveness, responsiveness and relevance of services in British Columbia for children, youth and families, and use that knowledge to improve services.

If Goal 5 is achieved:

- **the public will have the information necessary to hold government accountable for fulfilling its responsibility to children and youth;**
- **those within government with responsibility will have the information necessary for designing and delivering effective, responsive and relevant government-funded services;**
- **communities will have useful information for decision-making about community-based delivery of services; and**
- **services will become more effective, responsive and relevant over time.**

Goal 5 is an addition to the goals identified in last year's annual report. Like the other goals, it is one that the government has set for itself.

Government spends hundreds of millions of dollars each year on services to support children, youth and their families. Government has a responsibility to know whether it has reached its objectives and to determine whether the strategies it has designed to meet the objectives are being implemented, and if so, whether they are effective. It is important that government be held publicly accountable for its performance.

This goal is not, however, just about public accountability. It also reflects a continuous quality improvement model for public policy planning that seeks to learn from evaluating both successes and failures in implementing planned services.

To approach public policy from the perspective of children and youth and their families, we need to know how services are experienced by and affect them. Knowing this, we can design integrated services that place children in the centre, in the context of family and community.

Meeting Our Objectives in 2004/05

The goals set out in the previous section are goals for the system as a whole. The Child and Youth Officer and her team seek to contribute to the province's achieving these goals through certain strategies and activities they engage in, consistent with the Child and Youth Officer's mandate to support access to relevant services, independently observe services, and advise government about how to improve them. The Child and Youth Officer's objectives in engaging in these strategies and activities are set out below.

OBJECTIVE 1

Contribute to increased participation of children and youth in decision-making processes related to issues affecting them personally, and acceptance of advocacy for and by children and youth as integral to their meaningful participation

In all the work we do related to individual cases, we seek to promote meaningful participation of children, youth and families in decisions that affect them, and the recognition of advocacy as a legitimate activity that supports and enhances participation. We provide a range of advocacy support for children, youth and other individuals who are having trouble getting service they need or who disagree with a decision that has been made. We focus on building the capacity of children and youth to advocate on their own behalf, and supporting family and community in advocating on behalf of children, by providing coaching, written material, and meaningful participation and advocacy workshops. As much as possible, we refer calls to be handled by internal complaints processes. We seek to promote openness in complaints processes and support those processes in increasing the capacity of service providers to encourage meaningful participation and advocacy when decisions are initially made. In certain situations, we will provide direct advocacy services on behalf of children and youth.

This year we developed and refined an overall plan and structure for responding to requests for advocacy support. We recognized that some confusion existed about our role in individual cases, and were also concerned about inconsistency in the way we handled telephone calls about individual cases. We recently established an advocacy team to provide more focus and consistency in our approach to individual disputes and complaints.

Currently, we receive approximately 1000 calls annually about individual cases and approximately 100 calls directly from youth. This represents only about a third of the calls received by the former Office of the Child, Youth and Family Advocate. No doubt this is a reflection of our more systemic approach. It is, however, a concern, particularly in light of the right of children in care to contact the Child and Youth Officer. In the next year, we will continue to focus on ways to communicate to children, youth, families, service providers and the community about the advocacy support services that we provide.

OBJECTIVE 2

Contribute to increased involvement of children and youth in the development of policy, programs and services affecting children and youth generally

We decided that our first step in achieving this objective should be to model youth participation by hiring a young person as a Youth Participation Coordinator. We ended up hiring two. We have worked with them to learn how to become more open to youth participation ourselves in the policy work that we do.

We also focused on youth participation in policy-making in planning for an Aboriginal youth suicide community forum and policy round-table held in May 2005 in Prince Rupert. Youth were represented in the community group that advised about the organization of the events. Youth focus groups were conducted to provide background information about youth perspectives for the policy round-table. An inter-nation community forum, with extensive participation of Aboriginal youth from Prince Rupert and interested communities, was planned with the purpose of engaging youth, in partnership with community leaders and policy-makers, in developing and implementing preventive actions. A full report will be produced on this project in 2005/06.

With a view to modeling meaningful participation in policy-making, we created this year the position of Youth Participation Coordinator, with responsibility for promoting, facilitating and supporting the involvement of youth in all areas of our work. We had over 200 applications and the calibre was so high that we decided to shift our budget allocation and hire two Youth Participation Coordinators instead of one. Kris Archie and Derek Hansom both bring an extraordinary wealth of experience to our team, particularly in working with and engaging youth.

OBJECTIVE 3

Contribute to increased dialogue, collaborative relationships and joint action among those who share responsibility for achieving the goals

Generally, we have chosen to pursue our work through joint projects with others who have common goals. We have discovered that this joint project approach involves considerable work initially in designing projects so that they fit with the interests and objectives of other groups. In some cases, project ideas have fallen by the wayside, but in the process of seeking to pursue them we have developed relationships that have been important in other aspects of our work. We have also learned that our initial assumptions about what is needed or is practical are not always right. When a joint project idea does get past the initiation stage, the involvement of others increases our own capacity to do our work and the diversity of perspectives enriches the project.

The Prince Rupert Aboriginal youth suicide project is an example of how we seek to pursue this objective. The idea for the project was developed in partnership with the First Nations Summit and with the support of the Union of B.C. Indian Chiefs, the United Native Nations and the Métis Provincial Council of B.C. A community advisory group developed the concept of an inter-nation forum, and as a result of their involvement, the community bought into the idea. Key purposes of the project were to stimulate dialogue, encourage informal networking and partnerships, and come up with ideas for joint action. We noted that even in the planning stage that took place this year, this objective was achieved.

Working collaboratively with stakeholder groups interested in early childhood development, we also supported the Healthy Child B.C. Forum, held in November 2004, and offered our particular contribution by agreeing to write a special report (released in September 2005). The special report built on the dialogue that took place at the forum and ideas for joint action that were identified.

The unique position of Deputy Child and Youth Officer - Aboriginal Services was established by a Memorandum of Understanding between the Child and Youth Officer and the First Nations Summit, the Union of B.C. Indian Chiefs, the United Native Nations and the Métis Provincial Council of B.C. It recognizes the role of Aboriginal communities in British Columbia in caring for their children. The position was filled by Kelly MacDonald, the choice of a panel including the Child and Youth Officer and representatives from all four political organizations. An Aboriginal lawyer, Kelly has provided many First Nations bands and provincial and national First Nations and Aboriginal organizations with legal advice and counsel.

OBJECTIVE 4

Contribute to increased government, community and public knowledge of the effectiveness, responsiveness and relevance of services for children, youth and families in British Columbia and British Columbia's progress towards achieving the goals

Our major focus this year in relation to this objective was our Asking Questions project. Over a five-month period, from November 2004 to March 2005, team members met with 59 groups and carried out 47 one-on-one interviews. The project gave us a snapshot, from the perspective of service providers, of the current state of the system. It gave us a base to compare with in future years, about how far British Columbia is along the road to achieving the five goals. It also helped us identify areas to focus our attention in future. A particular challenge in this project lay in not creating unreasonable expectations about what we could do with the information. (The report was released in August 2005.)

We also engaged in a number of activities designed to increase knowledge of the effectiveness, responsiveness and relevance of services. We participated in a mediation evaluation project that developed an evaluation tool for regions conducting mediation projects funded by the Legal Services Society of British Columbia. We do not yet have feedback on the usefulness of the tool.

A joint project was initiated with the Provincial Health Officer to look at outcomes for children in care. The project developed slowly because of initial difficulties in accessing databases in a number of different ministries. Our success on this front is an achievement in itself, which we expect will have as a long-term impact increased public knowledge about the effectiveness of government-funded services.

OBJECTIVE 5

Contribute to generation and implementation of recommendations about how to achieve the goals

The purpose of a number of our projects initiated this year (e.g., the early childhood development forum and special report, the child in care outcomes project, the Prince Rupert Aboriginal youth suicide and community healing project, the Asking Questions project) has been to generate recommendations that will be implemented.

We want our recommendations to be developed collaboratively, through the work we do with others, to make them more practically based in experience and to gain buy-in from those who are responsible for their implementation. The result is that the development of recommendations is a slow process.

Our Planned Activities for 2005/06 and Beyond

Among the activities we are planning for 2005/06 and beyond are:

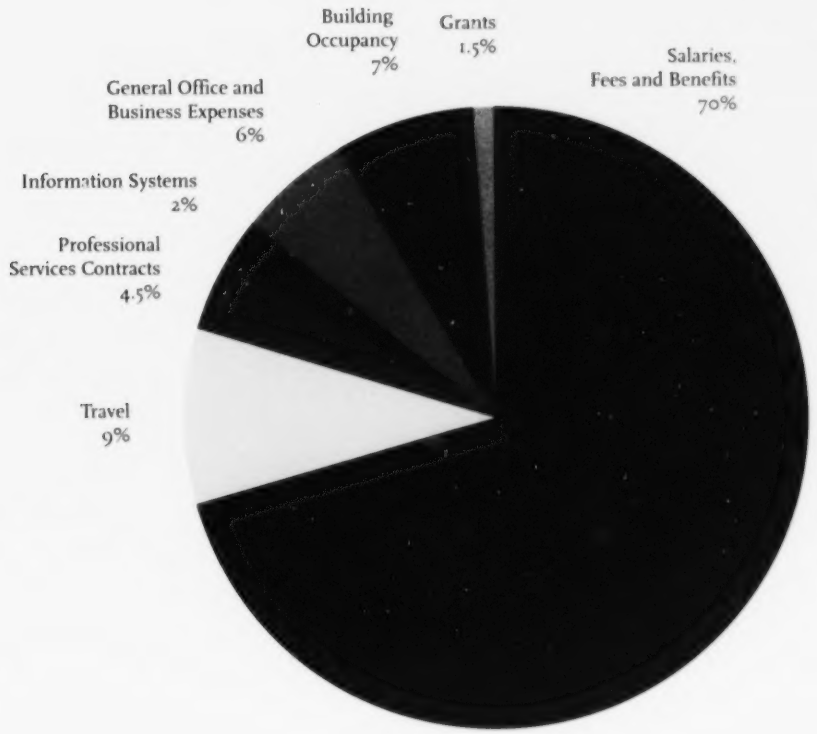
- **Youth engagement: Conversations About Change** – Producing a special report on youth, based largely on interviews with groups of youth and individual youth about their vision for an effective network of services for young people in the province, with the goal of inspiring government and communities to work with youth to change the system and make services more effective
- **Aboriginal youth suicide prevention and community healing** – Partnering with the First Nations Summit, with support from three other Aboriginal organizations, to address Aboriginal youth suicide in the Prince Rupert area and to make policy recommendations for prevention province-wide; producing a special report based on an inter-nation forum and policy round-table held May 5 and 6, 2005
- **Aboriginal youth engagement forum** – Working with Aboriginal youth in the Vancouver area to develop a consistent and cohesive framework for Aboriginal youth engagement in policy and research, which will serve as the basis for an Aboriginal youth engagement protocol to be endorsed by the Aboriginal youth community, as well as the Aboriginal and non-Aboriginal communities
- **Aboriginal governance** – Gathering information and feedback from stakeholders for a special report about progress in and impediments to the move to regional Aboriginal authorities

- **Transforming the child welfare system** – On November 1, 2005, bringing together a group of people who are responsible for pursuing the premier's goal of making British Columbia the best province in Canada at serving vulnerable children
- **Advocacy support for children and youth** – Providing support for children, youth and other individuals who are having trouble getting a service they need or who disagree with a decision that has been made; promoting self-advocacy and individual advocacy (advocacy on behalf of individuals by others in the community), as well as openness among service providers to both meaningful participation and advocacy
- **Meaningful participation workshops** – Providing one-day workshops for Ministry of Children and Family Development staff, contracted agency staff, foster parents and other groups, looking at effective ways to support meaningful participation from legislative, research and practical perspectives
- **Child and youth guidelines for the Ministry of Children and Family Development complaints process** – Working with the Vancouver Island region's Complaints Consultants to look at the role of workers in encouraging meaningful participation of children and youth, and to develop guidelines for the complaint process that will help make it work better for children and youth
- **Rights 2 Success workshops** – In partnership with the Federation of B.C. Youth in Care Networks and the Ministry of Children and Family Development, developing and piloting workshops for children and youth in care, at-risk children and youth, and Aboriginal children and youth on children's rights and advocacy
- **Family group conferencing evaluation** – Looking at how family group conferencing is being implemented in British Columbia and the outcomes of that implementation
- **Outcomes for children in care** – In partnership with the British Columbia Public Health Officer, developing a descriptive analysis of children in care and producing a report that describes the results of selected health and well-being indicators for children and youth in care
- **Outcomes of child care policy decisions** – In partnership with the Human Early Learning Partnership at the University of British Columbia, developing baseline data on child care in British Columbia
- **Service Gaps for Youth** – In partnership with the Vancouver Coastal region of the Ministry of Children and Family Development, addressing lack of services for youth in care who have high special needs as a result of a Fetal Alcohol Spectrum Disorder profile and who need supports in order to transition out of care
- **Exit interviews with children in care** – In partnership with the Interior region of the Ministry of Children and Family Development, collecting information about the needs and experiences of children in continuing custody who are preparing to leave care
- **Youth transition conferencing think-tank** – Assisting the Ministry of Children and Family Development's Fraser region and the Federation of B.C. Youth in Care Networks in organizing a one-day think-tank, bringing together young people and adults to look at how youth transition conferencing (a model that uses some of the principles of family group conferencing) can facilitate better planning for youth leaving care
- **Supporting the chief coroner in child death reviews** – Participating in the coroner's external review process for child deaths that fall within the service areas specified in our mandate, and observing the Ministry of Children and Family Development's internal review process and compliance with recommendations resulting from the coroner's child death reviews
- **Nuu-chah-nulth child death investigation and review** – Conducting an investigation, at the request of the Attorney General, into timelines, changes to terms of reference, and other matters relating to the director's case review of the child's death; and conducting a broader review of the systemic issues raised by the circumstances surrounding the death, culminating in a special report

2004/2005 Expenditures

(for the period April 1, 2004 to March 31, 2005)

Description	Amount ($)	Percentage (%)
Salaries, Fees and Benefits	1,508,198	70%
Travel	193,364	9%
Professional Services Contracts	94,109	4.5%
Information Systems	44,128	2%
General Office and Business Expenses	127,021	6%
Building Occupancy	156,309	7%
Grants	30,000	1.5%
Total Expenditures	2,153,129	100%



ADDENDUM 1

ADDENDUM 1: GOAL 1

Recommitting to Regional Governance: Towards Engaging Communities in Services for Children and Youth

Goal 1: Communities throughout British Columbia have sufficient resources and decision-making power to effectively share with government responsibility for the service delivery system in those communities.

Community-based planning and delivery of services is a concept that has widespread support among those who have studied and thought about how best to deliver services to children and youth in an integrated way. It is at the community level that practical strategies for more integrated service delivery suggest themselves.

Goal 1 speaks about community decision-making and shared responsibility with government. Community engagement and regionalization are not one and the same thing. There are five existing regional health authorities, and it is proposed that there be a similar five regional Aboriginal and non-Aboriginal authorities within the Ministry of Children and Family Development. There are many more communities in the province than five; each of the five regions therefore has a diversity of communities within its borders.

Regionalization does not necessarily result in more community-based decision-making. For example, shared responsibility with community is not a highlighted feature of the regional health authorities. I have become convinced, however, that the most likely way to resurrect the shift to community engagement within the Ministry of Children and Family Development is by putting regionalization back on track.

In last year's annual report (2003/04), I spoke of my concern that the ministry's stated initiative to move to community-based collaboration was in danger of being derailed as a result of the shutting down of the regional planning committees and the delay in the regionalization of governance. What I have heard and observed over the last year has reinforced that concern.

In our Asking Questions project, in which members of my team met with 59 groups, mostly of service providers, and carried out 47 one-on-one interviews across the province, a theme that emerged was one of disappointment in and frustration with the ministry's change in direction on community involvement and regional governance. We heard of the enthusiasm that was generated and the optimism felt when the concept of a strategic shift to community ownership and engagement was promoted by the ministry. Many of those we spoke to personally worked toward achieving the shift, and they described how momentum grew. While there were exceptions, the perception was that, with the shutting down of the non-Aboriginal planning committees, community involvement seemed to have been largely abandoned as integral to the ministry's planning processes. This perceived development has generated considerable frustration, because of the energy invested in the move to community involvement. It has also resulted in considerable cynicism and loss of goodwill.

However, we also saw many positive signs of the legacy of the years when the ministry was actively promoting community engagement. We heard reports from service providers in some communities of improved communication with the ministry locally that had resulted in increased trust and mutual respect. Often, this was attributed to a particular community service manager who had embraced the shift to community engagement and continued the relationship-building at the community level, despite a perception that this was no longer being promoted by the ministry at the centre.

Similarly, we saw many examples of collaborative work at the community level, often supported regionally and in some cases provincially, and yet the sense of leadership and vision, so necessary to maintain motivation, was perceived to be missing.

In an attempt to understand what was working prior to the shutting down of the non-Aboriginal regional planning committees, I spoke with former chairs and members of the non-Aboriginal regional planning committees ("planning committees") and with some regional ministry managers. What was it that was creating the momentum in the shift to community engagement, and why, if at all, was the ministry regionalization process important to the development of that momentum? Here are the answers that emerged from my consultations:

- Political championship and direction was provided from the top by expressed commitment to community engagement, and this leadership and direction was, for the most part, understood, appreciated and acted upon both by the planning committees and by the Interim Chief Executive Officers (ICEOs).
- Leeway was permitted for the ICEOs and regional planning committees to design their own way to engage communities.
- Membership on the planning committees was diverse, bringing different perspectives that encouraged creative thinking, and was less influenced by "the way things have always been done."
- The strength of commitment and concern for children and youth among community members energized those within the ministry who have more often experienced isolation and lack of external support for their work.
- The impartial, committed and common-sense approach of the planning committees provided senior regional managers with an intelligent, somewhat detached, but committed group to use as a sounding board for innovative ideas and solutions for difficult issues.
- Planning committee members were well connected and could suggest the use of other resources in the design of service delivery.
- Members of planning committees (and this will be even more true of regional authorities) had the ability to take a longer-term perspective that transcends the political cycle and to withstand the reactive propensities of political debate.
- Non-Aboriginal planning committees were influenced by their relationship with the Aboriginal planning committees to understand better the value of a "whole child" and community-based approach.

For many we have spoken to, the move away from meaningful community involvement was related to a parallel swing of the pendulum from increased authority in the regions back to more provincial control. The degree of centralization may be overstated, as the main functions that were brought back into the centre were auditing and budget control, and there may have been compelling reasons for that shift. Responsibility for service delivery, for the most part, still rested in the regions. Still, the perception of a significant shift of power and authority to the centre is widely held, and when it comes to issues of power and authority, perception can be determinative.

A shift back to greater centralization inevitably works against community involvement. It is very difficult for a central authority in a province as big as British Columbia to meaningfully engage the diverse communities throughout the province in planning. This is not a reflection on the dedication and competence of the provincial bureaucracy. With all the good intentions in the world to engage at the community level, provincial-level senior bureaucrats simply have too many demands on their time to be able to respond to the complexities of diverse communities. There is just too great a distance between provincial headquarters and where services are actually delivered and experienced. Regional boards may also be somewhat distant from parts of their community, but a board whose composition deliberately reflects the diverse communities and demographics within the regions is better placed to bring that complex reality to the planning table.

Governance at the five regions level is not the only model that could work. It has the advantage, however, of paralleling the health regions, which is important as the regional health authorities have responsibility for the delivery of many services to children, youth and families that affect their healthy development, including addiction services for children and youth. If a "whole child" approach is taken, collaborative planning with the regional health authorities will be crucial.

Decentralization does not necessarily result in a lack of accountability. There are aspects of ministerial authority that should continue to be centralized. Clearly, standards and expectations need to be set at the provincial level, although how prescriptive these should be is a matter for valid debate. Also, mechanisms should be in place centrally to monitor the standards and expectations. At the same time, meaningful engagement and a real sharing of decision-making authority does involve a letting go of some control. Letting go of control brings with it risks. It requires recognition that failures will occur, and modifications of plans will be needed. The risk in not engaging communities, however, is even greater. It means the loss of the potential to dramatically increase the system's capacity to protect children and youth and support their healthy development to adulthood.

Resurrecting and pursuing the existing regionalization plan has the advantage that it can build on the basic work that has been done. This is not a case of radically restructuring, but rather of continuing with the restructuring that was well on its way to being put in place. I am told that when regionalization was delayed and the planning committees shut down, many if not all the regions were very close to being ready to move from the planning committee to the authority stage.

Reasons given for the delay in proceeding to regional governance included a lack of readiness for Aboriginal regional governance, and the complexity associated with a different timing for the creation of non-Aboriginal and Aboriginal authorities. For reasons that I put forward elsewhere, I am advocating that the province should get on with the creation of regional Aboriginal authorities. When the authorities are established, it will be important for close ties to exist between the Aboriginal and non-Aboriginal boards and authorities in each region. We have heard reports of important relationship-building that happened over time between Aboriginal and non-Aboriginal planning committees in some, if not all, of the regions. It will be important for these relationships to be given time to develop further during a transition or interim period before the authority is actually transferred. Aboriginal and non-Aboriginal planning committees or interim authorities can support each other and strengthen their respective capacity for effective governance, and issues can be sorted out in advance.

Another reason given for delay was the need to complete the budget and service transformation agendas prior to a change in governance structure. I agree that budget cuts are not compatible with governance or service transformation. Assuming that the budget cuts are over, this should no longer be a reason for delay.

I do not agree with the perceived dichotomy between governance and service transformation. While some important progress has been made on service transformation since the non-Aboriginal planning committees have been shut down, I don't think real service transformation will happen without government-community partnership. And as I have said, that is more likely to happen under the auspices of regional authorities, with clear leadership and direction from the centre that community partnership is valued and expected as part of how the regional authorities will function.

Finally, I believe that regionalization is an area in which a bipartisan commitment may be possible. Both the government and the opposition have expressed support for the initiative. There will be partisan differences about how it is carried out, but joint support for the direction, and its connection with community engagement, if it is possible, would be very helpful in making it happen. For ministry community managers to pursue community engagement and for community members to trust that it will be carried through requires a leap of faith that such engagement will be sustained. A bipartisan commitment could reduce the cynicism that has grown along with the view that a long-term commitment to community partnership does not exist.

ADVICE

- Recommit at the highest political level to community engagement and partnership in the planning and delivery of services at the community level, and to regionalization within the Ministry of Children and Family Development as a means to pursue that objective.
- Explore the possibility of bipartisan support for regionalization.
- Seek advice from those who were involved in and committed to regionalization about how it can effectively be brought back on track.
- Announce a timetable for setting up regional authorities, and a plan for engaging prospective board members before the actual transfer of authority.
- Within the Ministry of Children and Family Development, make re-establishing and enhancing existing community linkages an immediate priority at the regional level and for community service managers, and recognize that community work takes time.

ADDENDUM 2

ADDENDUM 2: GOAL 2

Regional Aboriginal Governance: A Government Partnership with Aboriginal Communities in the Planning and Delivery of Services for Aboriginal Children and Youth in B.C.

Goal 2: The communities of indigenous peoples in British Columbia have sufficient resources and capacity and the necessary autonomy to provide culturally affirmative and effective services for their children, youth and families.

The persisting over-representation of Aboriginal children in the statistics of poor outcomes for children is an abiding and distressing reality we face in British Columbia and elsewhere in Canada. The idea that we need to take a different approach and that that approach involves full partnership with the Aboriginal communities is generally, if not universally, accepted in British Columbia.

Full partnership between Aboriginal communities and government in protecting and supporting the healthy development of their children is a challenge because they are more often viewed, by themselves included, as the "problem" rather than the "solution." The historic disempowerment of Aboriginal peoples has undermined the health of their communities and put at risk the capacity of the communities to assume their cultural role in caring for their children. Yet without fundamentally reversing this disempowerment, substantial progress in improving outcomes for Aboriginal children and youth is likely to be elusive.

To understand Goal 2, it is important to distinguish between three concepts: autonomy, capacity and resources. **Autonomy** relates to governance and decision-making by Aboriginal communities about services for their children and youth. **Capacity** is the strength, skills and ability that exist within Aboriginal communities and among Aboriginal people to look after their own children. This capacity is there, but has not been adequately developed. It needs to be supported and enhanced so that it can grow. Finally, **resources** are the funding, expertise and human resources required to allow for autonomy and to support capacity.

Progress

British Columbia has much to be proud of in its acknowledgment of and support for Aboriginal communities in caring for their own children. Over 20 years ago the Spallumcheen Nation took over the governance of its own child welfare. In 1986, the Sechelt Band assumed that authority. The Nisga'a Treaty 2000 gives the Nisga'a authority to legislate child welfare policies provided they meet or surpass British Columbia's legislated standards. Currently, there are 23 Aboriginal agencies with various levels of delegation of authority, seven with the highest level, which includes child protection and guardianship authority. This represents an increase since March 31, 2004. The direction is a positive one, and those who have worked towards it should be recognized for their achievement.

On the governance front, the Tsawwassen Accord (June 2002), in which the Aboriginal communities determined to work collaboratively, followed by the Memorandum of Understanding (September 2002) between the four major Aboriginal political organizations and the provincial government, are both achievements of major significance. (The four Aboriginal political organizations are the First Nations Summit, the Union of B.C. Indian Chiefs, the United Native Nations and the Métis Provincial Council of B.C.)

The Memorandum of Understanding (MOU) set up a framework for moving to Aboriginal regional authorities, to be guided by the Joint Aboriginal Planning Committee led by the Minister of Children and Family Development and the leaders of the four Aboriginal political organizations. It was to meet quarterly. Within that framework, the Ministry of Children and Family Development and the chairs and coordinators of the five regional Aboriginal planning committees have been working on developing a joint multi-year plan toward regional Aboriginal authorities. While there have been challenges to face in that process, the relationships between the senior managers of the Ministry of Children and Family Development at the provincial level responsible for the transition to regional Aboriginal authorities and the Aboriginal planning committees appear to be strengthening, and much important progress has been made.

Although the Joint Aboriginal Planning Committee has not met quarterly as planned, relationship-building has also advanced at the political level. Much of this advance is connected to the "New Partnership" that was developed as a result of meetings begun in March 2005 between the provincial government and the First Nations Summit, the Union of B.C. Indian Chiefs and the B.C. Assembly of First Nations to deal with Aboriginal concerns based on collaboration. The document, outlining the vision and principles of the new relationship, assumes common decision-making about the use of land and resources, and has been expressly related to the child and youth agenda.

Clarity of vision

One of the challenges in moving to regional Aboriginal authorities is maintaining clarity about the underlying purpose and principles that led to the idea in the first place, and keeping in sight the vision of what it will look like when it is achieved. The idea was never simply to replicate existing provincial government agencies, with Aboriginal rather than non-Aboriginal staff. Setting up two governance authorities only makes sense if the model that Aboriginal decision-makers ultimately design is quite different from the current model. Otherwise a preferable alternative would be to have only one regional authority and ensure that it is more inclusive of Aboriginal peoples. That alternative, however, would not give Aboriginal people in British Columbia the important opportunity to develop service delivery in a way that reflects their cultural values, including the central value placed on community and a concept of well-being that takes into account cultural and spiritual belief systems and practice.

The late Larry Guno, respected chair of the North region Aboriginal planning committee and member of the joint working committee of the chairs and the ministry, advocated just before his death that work be done to clarify the vision behind the evolution to Aboriginal authorities. He saw the danger of the working committee getting mired in the inevitable detail involved in the transition, and losing sight of what the Aboriginal authorities would ultimately look like. This work on articulating a vision and its underlying principles could usefully involve the political leadership, the chairs and ministry senior managers, and others such as the directors of delegated Aboriginal agencies and other service providers who have important insights, based on years of experiencing the realities of delivering services to Aboriginal children, youth and families.

Scope of services

Another challenge in going down the path towards regional Aboriginal authorities is the wide-ranging scope of services for which the Aboriginal authorities will be responsible. These include family support, protection, guardianship and adoption services, as well as child care, early childhood development, special needs, child and youth mental health, and youth justice services. This wide scope of authority is important if a "whole child" approach is to be taken to planning and service delivery. Yet the Ministry of Children and Family Development is itself organized at the provincial level in a way that separates these areas of service.

Work on Aboriginal governance appears to be more integrated with the family support, protection and guardianship part of the ministry's mandate. This means, for example, that when plans are rolled out in early childhood development or child and youth mental health, the appropriate way to bring the Aboriginal communities into the planning process needs to be considered afresh. The good news is that because the ministry has a structure in place, and because there are those within the ministry who have developed relationships with the Aboriginal communities, these are not insurmountable issues. They do, however, remain difficult and are yet to be played out.

Legitimacy within Aboriginal communities

A further challenge that exists in pursuing regional Aboriginal authorities as the preferred means of supporting the autonomy of Aboriginal communities to look after their own children is the legitimacy of the regional Aboriginal authority model with the broader communities. The politics and lines of legitimacy for the Aboriginal planning committees (and proposed authorities) is not simple. On the one hand, the authorities will be accountable to the source from which their authority to make decisions about government-funded services is delegated – that is, the Minister of Children and Family Development. On the other hand, the Aboriginal planning committees see themselves and the proposed Aboriginal authorities as accountable to Aboriginal communities. These two lines of authority are not mutually exclusive, but they do create challenges for the Aboriginal authorities that the non-Aboriginal authorities do not have.

It was an historic event when the four major Aboriginal political organizations signed the Tsawwassen Accord in 2002, agreeing to put aside their differences and join together in fulfilling their common responsibility for caring for their children. That does not mean that all differences have disappeared between and within First Nations communities. Acceptance of the regional authority model is not universal in the broad Aboriginal community in British Columbia. For example, much of the Aboriginal expertise and experience in delivering services to Aboriginal children and youth rests in the Aboriginal agencies. Their delegated responsibility for child protection and guardianship comes from the provincial director (not from one of the regional directors), and the bulk of their funding comes from the federal government because they serve children on reserve. Many of these agencies have special relationships with tribal councils. For regional authorities to assert effective governance authority over them will require their acceptance of that authority. The Aboriginal planning committees and the signatories of the MOU with the provincial government should be supported with sufficient resources for the work they need to do among themselves to develop sufficient support for this governance model to allow it to proceed as legitimate governance by Aboriginal peoples and communities in British Columbia.

When resource allocation is determined for the new regional Aboriginal authorities, it must be recognized that community relationships will be an ongoing challenge and important work that the authorities will need to do on a continuing basis.

Capacity to deliver services

Capacity, especially as it relates to resources, is a key issue in the success of the regional Aboriginal model. A legitimate concern is that without sufficient resources, the model is being set up for failure. There are two aspects of capacity that need to be considered. One is the capacity of the Aboriginal planning committees, and in the future the Aboriginal authorities, to do what is required for governance. The second is the capacity of Aboriginal peoples or organizations to take on the direct responsibility for services.

Central to the latter capacity are the resource and funding issues for the Aboriginal child and family service agencies that have delegated authority under the *Child, Family and*

Community Service Act. Funding issues for these agencies are affected by the complex and problematic jurisdictional issues that involve the federal government. Obstacles created by these issues will be an area of focus for my Deputy - Aboriginal Services and me over the next year.*

Enhancing the capacity of Aboriginal peoples and organizations to deliver services for Aboriginal children, youth and families will be an important work-in-progress for many years. As referred to above, progress with respect to the delegated agencies has been made this year with a significant increase in the number and scope of authority of the agencies. This is good, but progress should be made at a speed that allows for the management of any risks, and should not be driven by a governance agenda.

Distinction between capacity to govern and capacity to deliver services

Governance and capacity to deliver services are two separate issues. It is important not to confuse them. There will never be, nor should there ever be, a time in British Columbia when we have two completely separate service systems for Aboriginal and non-Aboriginal children. Not only would this be inefficient, but it is also reminiscent of the Apartheid in South Africa that so rightly has become a thing of the past. Aboriginal children, youth and families will always be a part of the larger British Columbia society and we are all richer for this. While there will be separate service delivery systems at the community level, they will need to be fully integrated into the province-wide system so that specialized resources will become increasingly accessible to Aboriginal children, including those living in remote communities.

Risks inherent in the lack of sufficient resources and existing capacity among Aboriginal people to provide child and youth services do not have to result in putting off governance indefinitely. Risks need to be managed and sufficient resources made available, recognizing that any transition brings special risks with it. At the same time, fear of risk should not be an excuse not to proceed. We cannot afford the risk of not proceeding because there is every reason to believe that without forging a partnership with the Aboriginal communities in the joint responsibility for Aboriginal children and youth, we will risk allowing the continuation of the dismal statistics that reflect unacceptably poor outcomes for Aboriginal children and youth.

The development of sufficient capacity to govern (that is, to make decisions about service delivery systems and have responsibility, through a qualified Chief Executive Officer, for an organization or contracts of those with the expertise to deliver services) is much more manageable than the much larger objective of developing the capacity of Aboriginal peoples to provide services for their own children. It also will involve up-front resources to support Aboriginal community members in fully engaging in the development of legislation establishing the authority model and proper accountability mechanisms, determination of the initial service delivery models, and negotiation of sufficient resources for the authorities.

Transition

No one expects that the regional Aboriginal authorities and their service delivery models will, on the first day that the authorities are set in place, look the same as they will in the years after the authorities have become established. A transition must occur and the alternative transitional options need to be explored by the Ministry of Children and Family Development and the Aboriginal chairs committee. For example, the extent of the authorities' scope could be phased in. Given that approximately 80% of the ministry's services are contracted, contract management responsibilities could be shifted with the existing contracts in place, leaving changes to take place over time that are consistent with the responsibilities, vision and planning of the regional authority. Or the responsibilities of the Director under the *Child, Family and Community Service Act*, currently made complex by the fact that it varies depending on whether the child is on-reserve or off-reserve, could be delegated to regional Aboriginal Directors.

Another alternative is for the scope of the authority to be initially the same as the current responsibility of regional executive directors for service delivery, only divided between Aboriginal and non-Aboriginal services. This would involve each region sorting out the division between Aboriginal and non-Aboriginal services. Some regions have already gone down that road. In other regions, such as the North where the vast majority of children are Aboriginal, another model may need to be worked out. Then, over time, functions that are currently the responsibility of the provincial ministry managers will evolve to the authorities as appropriate.

Get on with it!

Whether one of these alternatives, or some other that I have not considered, is adopted, the main message that I want to deliver is get on with it. It will take time to develop the membership of the regional Aboriginal authority boards, because of the importance of their having legitimacy in the diverse Aboriginal communities in each region. There is no reason not to begin the process of constituting those boards right away. There will be ample time to address these other issues before any transfer of authority.

ADVICE

- Convene an early meeting of the key participants in the move to regional Aboriginal authorities to clarify a shared vision of Aboriginal regional authorities and identify underlying principles to that shared vision, which will provide guidance for the joint ministry/Aboriginal chairs working committee as they pursue the tasks required for implementation.
- Renew the joint political commitment by reinstituting the quarterly meetings of the Joint Aboriginal Planning Committee, and by ensuring that the children's agenda is a priority in the New Relationship.
- Begin now the process of constituting the boards, and commit to transferring at least some of the authority to those boards as soon as they can be appropriately constituted. This would be an important symbolic statement of commitment, and would create a clear objective to work towards.
- Recognize the need for the regional Aboriginal authorities to have sufficient political and community support within the Aboriginal communities in British Columbia to ensure their legitimacy, and provide the current regional Aboriginal planning committees with sufficient resources to develop that legitimacy.
- Provide the Aboriginal planning committee chairs with sufficient resources to develop, independent of the ministry's senior managers, the understanding and expertise necessary to work through the issues that need to be resolved before a transfer of authority to Aboriginal boards.
- Explore, in consultation with the Aboriginal chairs, options for phased-in responsibility.

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